



STATE MINING AND GEOLOGY BOARD

EXECUTIVE OFFICER'S REPORT

For Meeting Date: November 10, 2010

Agenda Item No. 2: Status Report on the City of Lake Elsinore Lead Agency Program Pursuant to the Surface Mining and Reclamation Act (SMARA).

INTRODUCTION: Following receipt of a public complaint pertaining to certain surface mining operations located within the jurisdiction of the City of Lake Elsinore (City) in November 2009, the SMGB has been receiving updates from the Department of Conservation Office of Mine Reclamation (OMR) as to the nature of the surface mining operations within the City's jurisdiction, and whether issues and violations noted are being adequately addressed. A 15-Notice was issued by OMR to the City on September 9, 2010. The City responded in correspondence dated October 1, 2010. An update in regards to the adequacy of the City's response to the 15-Notice is being provided by OMR.

BACKGROUND: Five surface mining operations are situated within the jurisdiction of the City. These mine sites which share common boundaries are:

- Pacific Clay Pits (CA Mine ID #91-33-0006)
- Mountain Avenue Pit #2 (CA Mine ID #91-33-0020)
- Brighton Alberhill Clay Mine (CA Mine ID #91-33-0022)
- Murdock Alberhill Ranch (CA Mine ID #91-33-0073)
- Nichols Canyon Mine (CA Mine ID #91-33-0098)

In November 2009, the State Mining and Geology Board (SMGB) received a public complaint pertaining to certain surface mining operations located within the jurisdiction of the City of Lake Elsinore (City). Such complaints were forwarded to the Department of Conservation, Office of Mine Reclamation (OMR). OMR performed a site visit in March 2010, and presented a summary of its site visit at the SMGB's July 10, 2010, regular business meeting. At such meeting, the SMGB expressed concern based on information provided by OMR, and requested that OMR provide more in-depth information, including the inspection reports that the city had been filing during the time houses were being built within the boundaries of the mining footprint, and photographs taken during inspections and site visits performed by OMR, and OMR's commentary on such reports. Additional information was provided by OMR at the SMGB's September 9, 2010, regular business meeting.

In addition, the City requested in correspondence dated August 6, 2010, that additional time would be needed to present a comprehensive report to OMR. Some additional information was provided by the City to OMR dated October 1, 2010, and provided to the SMGB during



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its October 14, 2010, regular business meeting. No additional information has been provided by the City at the time this Executive Officer's report was prepared.

A chronology of pertinent events and activities, and correspondence received, is summarized in Table 1.

| Table 1 | |
|-------------------|---|
| Chronology | |
| Date | Action/Activity |
| November 2009 | Initial public complaint received ^(a) |
| March 10, 2010 | Site visit performed by OMR |
| July 10, 2010 | Report presented by OMR to SMGB |
| September 6, 2010 | 15-Day Notice issued by OMR to City (Exhibit A) |
| September 9, 2010 | Additional information provided by OMR dated June 28, 2010 |
| October 1, 2010 | Additional information, and the City's response to the 15-Day Notice, dated October 1, 2010 (Exhibit B) |

(a) Complaints and comments provided by same party have been persistent since originally received in November 2009 [Exhibit C].

EXECUTIVE OFFICER'S RECOMMENDATION: The status report being provided by OMR and the City is for the SMGB's information. No recommendations are provided at this time.

Respectfully submitted:

Stephen M. Testa
Executive Officer

EXHIBITS

- A OMR 15-Day Notice to the City of Lake Elsinore
dated September 20, 2010.**
- B Information provided by the City of Lake Elsinore
and received on October 1, 2010.**
- C Additional information provided by public.**

